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EXAMINER

SHANNON, MICHAEL R

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/917,119

Applicant(s)

KIM, MOON-YOUNG

Examiner

Michael R. Shannon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 3-7 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

### ***Specification***

4. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms that are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: "mutually organically", "Portion of defining itself information of application", "XTML". Overall, it seems as if the application is a literal translation into English from a foreign document and is replete with grammatical and idiomatic errors, which hinder the examination process and do not provide a clear and concise description of the invention.

### ***Claim Objections***

5. Claims 3-7 are objected to because of the following informalities: The claims recite the limitation, "the ADF", which, according to the specification, is an abbreviation for the term "the application definition file". However, the use of the abbreviation does not provide for antecedent basis in the claim and should therefore be corrected to read "the application definition file", as recited in claim 1. Appropriate correction is required.
6. Claim 16 is objected to because it includes reference characters that are not enclosed within parentheses.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Fries (USPN 6,317,885), cited by Examiner.

Regarding claim 1, the claimed "method of managing contents data for digital broadcasting by using an application definition file" is met as follows:

- The claimed step of "collecting contents data for digital broadcasting in form of an application" is met by the collection of page data at the Information server 46 [col. 4, lines 3-6].
- The claimed step of "designing an application definition file according to characteristics of respective contents contained in the application" is met by the generation of the meta-data at step 154 of Figure 12, which describes the HTML page. The meta-data is pictured in column 24.
- The claimed step of "inputting the designed application definition file and the application into a server" is met by the page data and meta-data being stored in the information server 46 until it is transmitted to the requesting user [col. 4, lines 3-16].
- The claimed step of "processing the application in accordance with the input application definition file" is met by the delivery of the image page and the meta-data based on a time within the carousel [col. 4, lines 3-16].

Regarding claim 2, the claimed "method as claimed in claim 1, wherein the step a) comprises the sub-steps of: 1) defining a transmission standard of the application; 2) defining a name of the application; 3) defining an executing environment of the application; 4) defining an encoding way of the application; 5) defining a method to

transmit the application; and 6) defining itself information of the application” is met by the meta-data, which describes the page images and is generated to assist in describing the contents and the structure of the page image [col. 4, lines 18-28]. The meta-data is shown in column 24.

Regarding claim 3, the claimed “method as claimed in claim 1, wherein in the step c), both of the application and the ADF that is made with the application are inputted to the server” is met by the Information Service that can receive and store page data and carousel management information from content providers [col. 4, lines 3-6].

Regarding claim 4, the claimed “method as claimed in claim 1, wherein in the step c), contents necessary are stored to the server and the ADF is inputted to the server by designing the ADF according to the stored contents” is met by the generation of the meta-data based on the HTML data [step 154 of Figure 12].

Regarding claim 5, the claimed “method as claimed in claim 1, wherein in the step c), the ADF is inputted by correcting the ADF when the added contents is made in case of adding new contents to the application stored in the server” is met by the carousel builder 146 being updated when a new HTML page is downloaded from the Internet to the server and meta-data is generated [Fig. 10 & col. 22, lines 20-40].

Regarding claim 6, the claimed “method as claimed in claim 3, wherein in the step c), the ADF is inputted to the server automatically by using the transmission protocol from outside, or directly by a user with a recording medium such as a diskette or a compact disk” is met by the fact that the carousel management information is downloaded from the content provider [col. 4, lines 3-10].

Regarding claim 7, the claimed "method as claimed in claim 1, wherein the step d) comprises the sub-steps of: 1) loading the ADF from the server at starting time when the application in the server is transported together with at the beginning of the broadcasting while a main controller section manages the broadcasting schedule of whole programs; 2) giving an information of a command for encoding the application based on the loaded ADF; and 3) commanding to generate a system information necessary to which the application is broadcasted" is met by the delivery of the page image onto the local cable system via a real-time carousel and encoding the page images into single frame MPEG2 video sequences [col. 4, lines 3-28].

Regarding claim 8, the claimed "system for managing contents data for digital broadcasting by using an application definition file" is met as follows:

- The claimed "main control section for controlling an operating status and flow of an application server section by transmitting and receiving a control signal to and from the application server section" is met by the incorporation of an Information Service head-end server 46 into the head-end 22, for receiving and storing page data and carousel management information from content providers and then injecting the page images onto the local cable system [col. 4, lines 3-10].
- The claimed "application server section for storing a data broadcasting program necessary to the digital broadcasting and systemically maintaining and managing the data broadcasting program" is met by the

storage of the Information Service page data, which is external data related to the program of interest [col. 4, lines 3-28].

Regarding claim 9, the claimed "system as claimed in claim 8, wherein the application server section comprises a control module, a performance module, a transmission module, a storage module, a monitor module, and an information module" is met by the head-end 22, which contains all of the functionality for controlling the head-end and storing and scheduling modules on the carousel [col. 4, lines 3-28].

Regarding claim 10, the claimed "system as claimed in claim 8, wherein the application server section brings all files constructing the application in an exterior other server together with the application definition file of the application by receiving commands that are performed by unit of application from the exterior other system" is met by the head-end 22 downloading page data in HTML format from the internet 48 [col. 4, lines 3-28].

Regarding claim 11, the claimed "system as claimed in claim 8, wherein the application server section stores and manages files in unit of application together with the application definition file" is met by the server that can store page data and carousel management information from content providers and inject the page images onto the local cable system according to the carousel management information [col. 4, lines 3-10].

Regarding claim 12, the claimed "system as claimed in claim 8, wherein the application server section transfers the application definition file to an exterior by request of the exterior, and searches and corrects the information for the application



that is stored by an exterior controller or own interface of the application server section” is met by the head-end 22 downloading page data in HTML format from the internet 48 [col. 4, lines 3-28].

Regarding claim 13, the claimed “system as claimed in claim 8, wherein the application server section provides a monitoring information in an application server to an operator” is met by the fact that when each time the carousel changes, the carousel builder 146 creates a new carousel image from the carousel description and the pages (stored on disk) [col. 22, lines 52-60].

Regarding claim 14, the claimed “system as claimed in claim 8, wherein the application server section processes several protocols supporting types of contents data” is met by the fact that the page images can come from any data source 48, but is merely pictured as exemplary as being the Internet.

Regarding claim 15, the claimed “system as claimed in claim 8, wherein the application server section divides a contents data into an offline data and an online data in accordance with property of the content data” is met by the fact that the server may have the page image data permanently stored therein, but typically will regularly download at least some of the page image data [col. 4, lines 3-16].

Regarding claim 16, the claimed “system as claimed in claim 15, wherein a relative information of the offline data is collected by a performance command from the performance module which connects to an exterior other server, stored in the storage module 508, and transferred to the contents data encoding section by the request in advance, and the online data is collected by the performance module which connects to

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the exterior other server by receiving the request from the data encoding section, and directly transferred to the data encoding section through the transmission module without storing data by the storage module” is met by the Server 46 getting the page data and carousel management information from the Internet 48, encoding and converting the data and building the carousel for transmission within an MPEG2 Transport Stream [Fig. 10 & col. 4, lines 3-48].

Regarding claim 17, the claimed “system as claimed in claim 8, wherein the performance module of the application server provides a general and flexible interpretation method for compatibility with various communication protocols with an exterior server, and programs of the application server supporting the various communication protocols convert the contents data receiving from the exterior servers data to be utilized in the application server” is met by the fact that the head-end can convert the data to be used on any type of system including wireless means, digital satellite communications, and so on [col. 3, lines 36-41]. Furthermore, the page images can come from any data source 48, but is merely pictured as exemplary as being the Internet.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Malaure et al (USPN 6,446,262) disclose an application data store that contains setup data and real time data to be broadcast to customers.

- b. Zhu, R et al (XML Based interactive video and data services over cable) disclose the use of XML and DTDs for use in a broadcast system.
- c. Aratani et al (US Pub. No. 2002/0016964) disclose a system for using XML data in a broadcast system.
- d. Goodman et al (USPN 6,427,238) disclose a system for managing modules of data in an interactive television system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Shannon who can be reached at (571) 272-7356 or Michael.Shannon@uspto.gov. The examiner can normally be reached by phone Monday through Friday 8:00 AM – 5:00PM, with alternate Friday's off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (571) 272-7353.

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Michael R Shannon  
Examiner  
Art Unit 2614

Michael R Shannon  
September 27, 2005

  
**JOHN MILLER**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**